

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CANDACE SMITH,) Case No.: 1:21-cv-01613 JLT SAB
Plaintiff,)
v.) ORDER DISMISSING THE ACTION WITHOUT
CITY OF FRESNO, et al.,) PREJUDICE
Defendants.)

Candace Smith initiated this action by filing a complaint and motion to proceed *in forma pauperis*. (Doc. 1.) On January 21, 2022, the Court denied the motion and ordered Plaintiff to pay the filing fee within fourteen days of the date of service. (Doc. 7.) Plaintiff was also advised that failure to timely pay the filing fee would result in dismissal of the action. (*Id.* at 2.) Although the deadline has passed, Plaintiff has not paid the filing fee, and the action cannot proceed. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992). Accordingly, the Court **ORDERS**:

1. The action is **DISMISSED** without prejudice; and
 2. The Clerk of the Court is DIRECTED to close this case.

IT IS SO ORDERED.

Dated: **February 11, 2022**

Jennifer L. Thurston
UNITED STATES DISTRICT JUDGE